

JUN 19 2017

Civil Case No: 9:17-cv-661 DNH/DEP

BOBBI ALEXANDRIA CONSTANTINE
Plaintiff

VS.

LAWRENCE K. BAERMAN, CLERK
ALBANY CIVIL RIGHTS
COMPLAINT

PURSUANT TO
42 U.S.C § 1983

RENSSELAER COUNTY JAIL, RENSSELAER
COUNTY, CHEIF HETMEN, SHERFF RUSO,
STG BULNES, STG MORIN, STG BATES,
L.T. SAUER, L.T. REKIN, Sinda,
Captian Dunham, Sgt Hogle, Sgt Machina,
Undersherff Bly, Sgt Gesewicz, Kelley,
Stg. Randall, Officer Simmons (a male) (first name starts with S)
officer Sinda, Sgt Hogle, 1 unnamed officer
2 John doe, 15 unnamed persons, Officer Ecdonmicles,
Officer Dillenbeck.

Plaintiff(s) demand(s) trial by: JURY

Plaintiff in the above-captioned action allege(s) as follows:
That the Defendants discriminated against her because her is Transgender and Deaf mute they also did vioate plaintiffs
Equal Protection rights under 1983 and frist, Eighth, and Fourteenth Amendments, also Cruel and unusual Punishment.

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the constitution of the United States. This action is brought pursuant to 42 U.S.C § 1983 The court has jurisdiction over this action pursuant to 28 U.S.C §§ 1331, 1343(3) and (4) 2201.
2. Plaintiff: Bobbi Alexandria Constantine
Address: 135 Shaker Road Albany NY 12211
4000 Main st Troy NY 12180
3. Defendant: Cheif Hetmen
Officail Postion: Cheif of Rensselaer County Jail
Address: 4000 Main st Troy NY 12180
4. Defendant: Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
5. Defendant: Sherff Ruso
Officail Postion: Sherff of the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
6. Defendant: Stg Bulnes
Officail Postion: Stg of the Rennselaer County Jail
Address: 4000 Main St Troy NY 12180
7. Defendant: Stg. Morin
Officail Postion: Stg of the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180

- 8, Defendant: Stg. Bates
Officail Postion: Stg. of the rensselaer county jail
Address: 4000 Main st Troy NY 12180
- 9, Defendant: L.T Sauer
Officail Postion: L.T of the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 10, Defendant: L.T. Rakin
Officail Postion: L.T of the Rensselaer County Jail
Address 4000 Main St Troy NY 12180
- 11, Defendant: Sgt. Gesewicz
Officail Postion: Sgt at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 12, Defendant: Undersherff Bly
Officail Postion: Undersheriff at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 13, Defendant Sgt Machina
Officail Postion: Sgt at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 14, Defendant Sgt ~~Wage~~ Hogle
Officail Postion: Sgt at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 15, Defendant: Captain Dunham
Officail Postion: Captain at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 16, Defendant: Officer Kelley
Officail Postion: Officer at the Rensselaer County Jail
Address: 4000 main st troy NY 12180
- 17, Defendant: Officer Sinde
Officail Postion: Officer at the Rensselaer County Jail
Address: 4000 Main St Troy NY 12180
- 18, Defendant: Officer Simmons (a male officer) (frist Name starts with a S)
Officail Postion Officer at the Rensselaer county Jail
Address: 4000 Main St Troy NY 12180
- 19, Defendant: 15 Unnmaed Officers and persons
Officail Postion: officers and staff personnel
Address: 4000 Main St Troy NY 12180
- 19A. Defenclant officer econimedes.
Officail Postion: officer at the Rensselaer County Jail
Address: 4000 main st Troy NY 12180
- 19B. Defendant officer Dillenbeck.
Officail Postion officer at the Rensselaer County Jail
Address 4000 main st
Troy NY 12180

FACTS

20, The Defendants have since Sept 13th 2016, Violated the Plaintiffs civil and Constitutional Rights by continuing to discriminationg against her based on the fact that she is Transgender and Deaf Mute. The Staff at the Rensselaer County Jail did from day one misgender her by calling her "IT or FRAK " or HE HIM making fun of PLaintiff. The Defendants did Stripped her of all her clothes for the sole reason of seeing what was between her legs. This would go on though out the whole time she been at the jail. Even medical personnel would make her undress so they could see what was between her legs. For no other reason, then to look at her private parts. The Facility has been doing nothing to stop this or change the way their staff handles this issues. They also have done nothing about the name calling by their staff and by other inmates. The plaintiff has been discriminated against by names calling and notes left for her by inmates and has been threaten by staff and other inmates of harm.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

21, All of the Defendants listed in this action did failed to call plaintiff by the right pronouns causing Plaintiff pain and suffering, They called Plaintiff " IT or FREAK, HE, HIM" anything they could to cause anguish. They would laugh and make fun at the Plaitiff. They would make jokes with other staff and other Inmates To the point that the other Inmates thought is was ok and that it was what they should also do. The Defendants knew this caused significant pain physical and emotional harm to Plaintiff. Even after Plaitiff Filed Grievance after Grievance nothing was done. The Defendants did act with sufficiently culpable state of mind. The Defendants used the Plaintiff as their entertainment so they could get a laugh! The Defendants did violate Plaintiffs Eighth Amendment, Fourteenth Amendment by allowing staff and inmates to call the Plaintiff Names and making fun of her for their own Enjoyment! Even to top staff members were doing this same t

thing. The Defendants were deliberately Indifferent to Plaintiff harrassment and pain caused by staff and inmates by falling to properly train their staff. on how to deal and treat Transgender Inmates. " I have the right to be treated as a human being and that is not the way it has been here the whole time"

SECOND CAUSE OF ACTION

22, Defendant Officer Sinde and other Officer unknown name did violated Plaintiff right's by showing other Inmates her personel information on the Facility Computer. They did show other inmates Paintiffs Pictures before her transltion and other information about the Plintiff. The Facility allowed the Officers to use facility computers and their cell phone to show other inmates pictures and her other name and medical information. The same Officers would also tell other Inmates and staff that the Plaintiff would go to medical " ITs in there to stretch ITs Hole" which is a violation of the Medical health care law (Hippi) Plaintiff saw them with her own eyes show her information to other inmates. her also saw officer simmons (a male officer) with his cell phone on the dorm. showing information to others. These Defendants also would make fun of her every day they were on the unit. They would call her names and make fun of the fact that her didnt answer they would call her "HIM HR IT FREAK" on a daily bases.

THIRD CAUSE OF ACTION

23, Defendants L.T. Sauer, L.T. Rakin, Cheif Hetmen, Sherff Russo and Undersherff Bly, Catain Dunham and others staff members violated Plaintiff civil and constitutional rights, Americans with disabilities act. The Defendants denial of an Interpreter for programs, church and visits and for hearing, as well medical meeting or meeting with staff. They clearly knew that the Plaintiff was DEAF. They would talk louder thinking that if they did she would hear them. It become a joke with them who could make fun of the deaf freak. This goes on every minute of every day for the last Ten Months.

Even so much that the other inmates now yell at plaintiff as she walks by. Some officers just yell the plaintiff name cross the dorm like she will hear them. No one is doing anything about this. The Plaintiff again has been the officers and stg's form of entertainment. On tuesday May 23, 2017 at 2:15pm L.T Sauer came to the dorm and had a meeting with every inmate but the Plaintiff when asked to talk with her about some things and the meeting she just walked out with out saying or trying to talk with the plaintiff. I later put in for a Grievance and was told it was none of my business. I was later told by another officer that the meeting was about me. That she was there to listen to all the complaints about me being on the dorm. But because i am deaf and they do not have any interpreters I could not hear it or be involved or I could not stand up for myself.

FOURTH CAUSE OF ACTION

24, Plaintiff was sent to the Rensselaer County Jail on Sept 13, 2016. When she got there she was told to remove all of her clothes because the jail has to see her genitals. Over the next months the Plaintiff would again and again be asked to show her genitals by staff members. They would line up to see, what's the Plaintiff's genitals looked like between her legs. One staff member stated to another come over here and see this. This is a Violation of the plaintiff equal Protection rights and its cruel and unusual punishment

FIFTH CAUSE OF ACTION

25, Defendants have a video camera pointed at the Plaintiff cell and can see her changing clothes and getting undressed and using the bathroom this is a violation of plaintiff privacy equal protection rights and its cruel and unusual punishment and fourteenth amendment Plaintiff has seen the video with her own eyes. The Video records every minute of every day showing the Plaintiff undressing.


PRAYER FOR RELIEF


WHEREFORE, Plaintiff(s) request(s) this court grant the follow relief

Plaintiff, asks this court to grant her a TRO stopping the defendants from misgendering her and causeing her anymore pain and suffering. She also prays the court will grant her a trail were she seek damages for the pain and suffering that the defendants caused her. And any other relief the court deems proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated June 12, 2017


Bobbi Alexanria Constantine
PRO-SE

Sworn to me this
12th day of June 2017


Sandra M Arana
Notary Public, State of New York
No. 01AR6293986
Qualified in Rensselaer County
Commission Expires December 16, 2017